

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Masanori HIRANO et al.

Serial No.: 10/565,136 ✓

Date Filed: January 18, 2006

For: **IMAGE REPRODUCING AND FORMING APPARATUS, PRINTER DRIVE AND
DATA PROCESSING APPARATUS**

I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Paul Teng February 13, 2008
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INFORMATION DISCLOSURE STATEMENT

In order to ensure compliance with the applicant's duty of disclosure under 37 C.F.R. §1.56 and §1.97(a)-(d), Applicant hereby submits this Information Disclosure Statement.

This Information Disclosure Statement is being filed pursuant to 37 C.F.R. §1.97(b)(3). To the best of Applicants' knowledge, this Information Disclosure Statement is being filed before the date of mailing of a first Office Action on the merits in connection with this application.

Alternatively, Applicant requests consideration of this Information Disclosure Statement under 37 C.F.R. §1.97(c)(1). The reference listed in the annexed Form PTO-1449 was cited in a December 7, 2007 Chinese official action in connection with a counterpart Chinese patent application. A copy of the December 7, 2007 Chinese official action and an English translation thereof are enclosed herewith. The reference listed in the Form PTO-1449 annexed to this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

It is respectfully requested that the information cited in the annexed Form PTO-1449 be considered by the Examiner in connection with the above-identified patent application, and that

such art be made of record in said application.

The citation of the listed items is not a representation that they constitute a complete or exhaustive listing of the relevant art or that these items are prior art. The items listed are submitted in good faith, but are not intended to substitute for the Examiner's search. It is hoped, however, that in addition to apprising the Examiner of the particular items, they will assist in identifying fields of search and in making as full and complete a search as possible.

The filing of this Information Disclosure Statement is not an admission that the information cited herein is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

According to the August 5, 2003 OG Notice published by the Patent and Trademark Office, the Office has waived the requirement under 37 C.F.R. §1.98(a)(2)(i) for submitting a copy of each cited U.S. patent and each cited U.S. patent application publication for all U.S. national patent applications filed after June 30, 2003 and for all international application that have entered the national stage under 35 U.S.C. §371 after June 30, 2003.

Accordingly, copies are submitted herewith for only references listed on the annexed Form PTO-1449 that are not a U.S. patent or U.S. patent application publication.

The Patent Office is hereby authorized to charge any fees that are required for consideration of this Information Disclosure Statement and to credit any overpayment to our Deposit Account No. 06-2140.

Respectfully submitted,



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as the role it plays in the present invention, i.e., to control the amount of liquid adhering to the recording paper when duplexing is performed in the bidirectional recording. That is, the D3 gives the inspiration of applying said additional technical feature to the technical solution defined by the D1 to further solve the technical problem. Thus it can be seen, it is obvious for those skilled in the art to obtain the technical solution defined by the Claim 10 on the basis of the D1 combined with the D3. Therefore, when the Claim 1 it refers to does not possess novelty, the dependent Claim 10 does not involve inventive step as prescribed in Article 22, paragraph 3 of the Patent Law of China.

7. Claim 22 is the dependent claim of Claim 21, and its additional technical features in the characterizing portion are common knowledge in the art. And it is obvious for those skilled in the art to use said common knowledge. Therefore, it is obvious for those skilled in the art to obtain the technical solution defined by the Claim 22 on the basis of the D1 combined with said common knowledge. Thus, when the Claim 21 it refers to does not possess novelty, the dependent Claim 22 does not involve inventive step as prescribed in Article 22, paragraph 3 of the Patent Law of China.

8. The technical solutions defined by the Claim 23 do not involve inventive step as prescribed in Article 22, paragraph 3 of the Patent Law of China. The D3 discloses an image reproducing and forming apparatus, and following technical features are disclosed in detail: an image recording unit configured to form an image on the recording medium by ejecting liquid droplets onto the recording medium; a control unit configured to control the amount of liquid adhesion to the recording medium (refer to paragraph 0019 of the description of the D3). The Claim 23 differs from the D3 in: a transport mechanism configured to convey a recording medium by electrostatic attraction; control the amount of liquid adhesion to the recording medium so as to prevent leakage of electric charge from the recording medium. However, the former distinctive technical feature has been disclosed by the Reference Document 4 (JP2002-46310A) (hereinafter referred to as the D4) (refer to the abstract of the D4). The role said feature plays in the D4 is the same as the role it plays in the present invention, i.e., to transport the recording medium. That is, the D4 gives the inspiration of applying said additional technical feature to the D3 to further solve the technical problem. Meanwhile, the latter distinctive technical feature is the common knowledge in the art. It is the common technical means for those skilled in the art to prevent leakage of electric charge by reducing the amount of liquid adhesion to the recording medium to decrease the wetness of the sheet. Therefore, it is obvious for those skilled in the art to obtain the technical solution defined by the 23 on the basis

of the D3 combined with the D4 and the common knowledge. Thus, the technical solution defined by the Claim 23 does not have prominent substantive features or represent notable progress, and thus does not involve inventive step.

9. Claim 24 is the dependent claim of Claim 23, and its additional technical feature in the characterizing portion has been correspondingly disclosed by the D3 (refer to paragraph 0019 of the description of the D3). The role said feature plays in the D3 is the same as the role it plays in the present invention, i.e., to control the amount of liquid adhering to the recording paper. Therefore, it is obvious for those skilled in the art to obtain the technical solution defined by the Claim 24 on the basis of the D3, D4 and the common knowledge. Therefore, when the Claim 23 it refers to does not involve inventive step, the dependent Claim 24 does not involve inventive step as prescribed in Article 22, paragraph 3 of the Patent Law of China.

10. The independent Claims 11 and 32 define a printer driver which actually is a computer program. However, the computer program can not be granted the patent right, so the Claims 11 and 32 do not comply with the provision of Article 25 of the Patent Law of China. Similarly, the dependent Claims 12-20, 33-39 do not comply with the provision of Article 25 of the Patent Law of China either.

11. Claims 26, 27, 30, 31, 34, 35, 38 and 39 use the parentheses, so the protection scope of said claims are not clear. Therefore, said claims do not comply with the provision of Rule 20, paragraph 1 of the Implementing Regulations of the Patent Law of China.

The applicant should reply to the questions one by one within the designated time limit and amend the application document when necessary. Otherwise, the application will not be granted. Any amendment to be made shall not go beyond the scope of the original description and claims so as to comply with the provision of Article 33 of the Patent Law of China.

The amended documents to be submitted shall include: a duplicate of the original text involving the amended part, on which any insertion, deletion and alteration should be made in red; the re-typed replacement sheet after amendments (in two copies), for replacing the corresponding original text. The applicant should ensure the consistency of the two parts abovementioned.